



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of

Box. REISSUE

Gervais DIONNE et al.

Group Art Unit:

Original U.S. Patent No. 5,538,975

Serial No. Not Yet Issued

Examiner: James O. Wilson

Filed Herewith

For: **1,3-OXATHIOLANE NUCLEOSIDE ANALOGUES AND METHODS FOR USING SAME**

**POWER OF ATTORNEY, OATH and
REISSUE DECLARATION UNDER 37 C.F.R. § 1.175 and § 1.63**

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

The undersigned inventors of the subject matter of the claims of U.S. Patent No. 5,538,975 and of the subject matter of the claims as proposed herein for reissue, being duly warned, declare as follows:

The undersigned inventors of the subject matter of the claims of U.S. Patent No. 5,538,975 and of the subject matter of the claims as proposed herein for reissue, believe their original patent U.S. Patent No. 5,538,975 to be wholly or partly inoperative by reason of the patentees claiming less than they had a right to claim in the patent. Specifically, there is an error in that the patent does not contain claims of intermediate scope, i.e., narrower in scope than at least one claim of the issued patent. Also, there is an error in that the inventive entity is incorrectly indicated as Gervais Dionne and should instead be Gervais Dionne, Bernard Belleau, Nghe Nguyen-Ba, and Boulos Zachane. Further, there is an error in that the patent does not include a claim to priority under 35 U.S.C. § 120 to co-pending application Serial No. 07/564,160, filed August 8, 1990.

All errors sought for correction by this reissue application up to the filing of this reissue oath arose without any deceptive intention on the part of Applicants.

We have reviewed and understand the contents of the specification, including the claims, as amended in the attached reissue application.

We believe the named inventors to be the original and first inventors of the subject matter which is claimed and for which a patent is sought.

We acknowledge the duty to disclose all information known to the Applicants to be material to patentability as defined by 37 C.F.R. §1.56

We hereby appoint as our attorneys with power of substitution and revocation to transact all business in the Patent and Trademark Office connected therewith:

I. William Millen (19,544), John L. White (17,746), Anthony J. Zelano (27,969), Alan E.J. Branigan (20,565), John R. Moses (24,983), Harry B. Shubin (32,004), Brion P. Heaney (32,542), Richard J. Traverso (30,595), John A. Sopp (33,103), Richard M. Lebovitz (37,067), John H. Thomas (33,460); James Ruland (37,432); and Nancy Axelrod (44,014),

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and Shona S. McDiarmid (38,798), and Danièle Éthier (46,417).

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dec 1, 2000
Date

Gervais DIONNE
Gervais DIONNE

Dec 4, 2000
Date

Nghe NGUYEN-BA
Nghe NGUYEN-BA

Dec 4, 2000
Date

Boulos ZACHARIE
Boulos ZACHARIE

Dec 5, 2000
Date

Pierette Belleau
Bernard BELLEAU (deceased), by Pierette Belleau,
his executrix